

April 29, 2003

The Honorable Board of Supervisors
County of Los Angeles
383 Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

**PROPOSED RESOLUTION TO IMPLEMENT SENATE BILL 1754
INCREASING FUNDING FOR THE COUNTYWIDE WARRANT SYSTEM
(3 VOTES)**

JOINT RECOMMENDATION WITH COUNTY COUNSEL THAT YOUR BOARD:

Pass the amended resolution to implement Senate Bill 1754 to increase the collection of a penalty assessment on violations of promises to appear, or failures to comply with valid court orders.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

In November 2002, your Board passed a resolution implementing Senate Bill 1754. The bill amended §853.7a to the Penal Code and §40508.5 to the Vehicle Code. These sections authorize the County, by resolution, to impose an assessment of fifteen dollars (\$15.00) on every person who violates his or her written promise to appear in court or before a person authorized to receive a deposit of bail, or who otherwise fails to comply with any valid court order for a violation of any provision of these codes or local ordinance adopted pursuant to these codes.

The resolution submitted was in error by stating that the assessment should be imposed on every person convicted of violating these sections. A conviction is not required and the attached resolution has the proper legal language to impose the assessments as intended by the laws.

Senate Bill 1754 passed the legislature and was signed by Governor Davis and became effective January 1, 2003.

Senate Bill 1754 amended Penal Code §853.7a and Vehicle Code §40508.5 by increasing the penalty assessment to fifteen dollars (\$15.00) for the Countywide Warrant System (CWS). The additional revenue is estimated to be approximately \$1,300,000 annually. In order for the courts to collect the assessments, your Board must pass a resolution authorizing the collection for violations of the provisions enumerated in these sections. The existing resolution your Board passed in November 2002, has been amended and a copy is attached for your approval.

Implementation of Strategic Plan Goals

The implementation of collecting the enhanced assessments supports the County's Strategic Goals for two strategies related to Organizational Effectiveness and to Fiscal Responsibility. Specifically, Strategy 2 of the former goal is addressed by improving the internal operations of the CWS, a database used by all law enforcement agencies and courts in the County. Strategy 1 of the latter goal is addressed by providing a fuller funding of the operation of the system.

FISCAL IMPACT/FINANCING

By statute, the money collected from these sections must first be used for the development and operational costs of an automated warrant system. Any additional funds remaining after operational costs have been met, may be used for system modifications, enhancements, new technologies, or for funding a warrant service task force for serving all bench warrants issued within the County. It is our intention to use the additional funds to offset the present operational cost deficit of the CWS.

IMPACT ON CURRENT SERVICES/PROJECTS

The collection of the enhanced fees will ensure that the CWS will be operated at current service levels. Should the fees ever exceed the operational costs, planned enhancements to CWS would be implemented.

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FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Sheriff's Department is responsible for the operation of the CWS. The collection of the increased assessments is performed by the courts and the funds are then transferred to the Sheriff's Department.

Your approval of these matters is requested.

Respectfully submitted,

LEROY D. BACA
SHERIFF

LDB:HA:VLB:rs

(Technical Services Division/Records and Identification Bureau)

Attachment

c: Leroy D. Baca, Sheriff
 Jerome W. Schmiedeke, Chief, Technical Services Division
 Henry Arevalo, Director, Records and Identification Bureau
 Lloyd W. Pellman, County Counsel
 Dalila Corral, Principal Deputy, Legal Advisory Unit
 Brian Mahan, Chief Administrative Office
 TSD File
 RIB File
 (BrdSB1754)